

E1-3041

<b>Facsimile Transmission Sheet</b>	<b>SIDNEY STRICKLAND AND ASSOCIATES, PLLC</b> 3050 K ST. N.W., SUITE 101 WASHINGTON, DC 20007-5108 TELEPHONE: 202-338-1325 FAX: 202-295-3854
<b>To:</b> Dave Navecky <b>Fax Number:</b> (202) 245-0454	
<b>Date:</b> 8/7/07	
<b>From:</b> Liz Waite (202) 338-1325, liz.waite@stricklandpllc.com	
<b>Comments:</b> Mr. Navecky,  Attached is an email from the FWS regarding environmental condition #4 in STB Docket No. AB-6 (Sub. No. 439X). Please call me if you have any questions. Thank you.  Liz Waite Attorney	

Sidney Strickland and Associates, PLLC


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## Message

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**From:** "Sims, John A" <John.Sims@bnsf.com>

**To:** Liz <liz.waite@stricklandpilc.com>

**Subject:** FW: STB Docket No. AB-6 (Sub. No. 439X) BNSF Railway Company-Abandonm  
 Bottineau County, ND

**Date:** 23-Jul-07 11:52 AM




InLine Text

### -----Original Message-----

**From:** Terry\_Ellsworth@fws.gov [mailto:Terry\_Ellsworth@fws.gov]

**Sent:** Wednesday, August 30, 2006 1:09 PM

**To:** Sims, John A

**Subject:** Re: STB Docket No. AB-6 (Sub. No. 439X) BNSF Railway  
 Company-AbandonmentExemption - in Bottineau County, ND

Mr. Sims,

The project as described will have no significant impact on fish and wildlife resources. No endangered or threatened species are know to occupy the project area. If project design changes are made, please submit plans for review.

Terry Ellsworth  
 North Dakota Ecological Services Field Office  
 3425 Miriam Avenue  
 Bismarck, ND 58501

Office (701) 355-8505  
 Fax (701) 355-8513  
 Terry\_Ellsworth@fws.gov

"Sims, John A"

<John.Sims@bnsf.c To:  
 <terry\_ellsworth@fws.gov>

om> cc: "Sims, John A"  
 <John.Sims@bnsf.com>, "Batie, Richard A"  
 <Richard.Batie@bnsf.com>

08/30/2006 10:07 Subject: STB Docket No.  
 AB-6 (Sub. No. 439X) BNSF Railway Company-Abandonment

AM Exemption - in Bottineau  
County, ND

Mr. Ellsworth,

Per our discussion this morning, this message will describe the salvage process. The salvage process involves bidding out the track materials on the open market, selecting a qualified rail material salvager, negotiating a salvage contract with the winning bidder, having the salvage contractor remove the track materials along the line and then have BNSF's local roadmaster inspect the salvage job to make sure the work done complies with BNSF standards and is completed to BNSF's satisfaction.

The salvager then starts the removal process with the unbolting of the track materials or rails. The rails are removed along with all the steel parts including angle bars, tie plates, spikes and any other metal parts.

Next the wooden ties are removed with the bridges removed last. The culverts and the right of way stays intact so that no waterflows along the

line are affected. Timber trestles are dismantled and removed. The wooden

bridge pilings are either pulled out, cut off at ground level, or broken off at below the mud line. Steel bridges are dismantled and removed. If there are concrete abutments and piers, they may be left intact.

Following

the salvage operations, any waterflows in the area should not be disrupted.

No fills or other material or debris is to be placed in water bodies by BNSF salvage contractors.

If you have any questions, please give me a call.

Sincerely,

John Sims, Paralegal

BNSF - Law Dept

2500 Lou Menk Dr, 3rd Fl

Fort Worth, TX 76131-2828

T - (817) 352-2376

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